
SENATE BILL No. 129

DIGEST OF INTRODUCED BILL

Citations Affected: IC 35-46-1-4.5.

Synopsis: Endangering an unborn child. Provides that a person who knowingly or intentionally consumes a controlled substance while pregnant commits a Class D felony, and makes the offense a Class C felony if: (1) the controlled substance the person consumes is cocaine, methamphetamine, or a schedule I or II narcotic; or (2) the person has a prior unrelated conviction for consuming a controlled substance while pregnant.

Effective: July 1, 2006.

Alting

January 9, 2006, read first time and referred to Committee on Health and Provider Services.

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Second Regular Session 114th General Assembly (2006)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2005 Regular Session of the General Assembly.

SENATE BILL No. 129

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 35-46-1-4.5 IS ADDED TO THE INDIANA CODE
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
3 1, 2006]: **Sec. 4.5. (a) This section does not apply to a person who**
4 **consumes a controlled substance under a prescription or under the**
5 **direction of a practitioner (as defined in IC 35-48-1-24).**

6 **(b) As used in this section, "controlled substance" has the**
7 **meaning set forth in IC 35-48-1-9.**

8 **(c) A person who knowingly or intentionally consumes a**
9 **controlled substance while the person is pregnant commits**
10 **endangering an unborn child, a Class D felony. However, the**
11 **offense is a Class C felony if the person:**

12 **(1) consumes:**

13 **(A) cocaine (pure or adulterated);**

14 **(B) methamphetamine (pure or adulterated); or**

15 **(C) a narcotic drug (pure or adulterated) classified in**
16 **schedule I or II of IC 35-48-2; or**

17 **(2) has a prior unrelated conviction under this section.**



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1 SECTION 2. [EFFECTIVE JULY 1, 2006] **IC 35-46-1-4.5, as**
2 **added by this act, applies only to crimes committed after June 30,**
3 **2006.**

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